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Attorney for DUSTIN BROWN

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA,) No. 2:24-cr-268 WBS
Plaintiff,)
) STIPULATION AND ORDER
) TO CONTINUE STATUS
v.) CONFERENCE FOR BOTH DEFENDANTS
)
DUSTIN BROWN and) Requested status conference date: 9-29-2025
MATTHEW MICHALAK,) Time: 10:00 a.m.
Defendants.) Judge: Hon. William B. Shubb
)
=====)

STIPULATION REGARDING A NEW STATUS CONFERENCE DATE OF SEPTEMBER 29, 2025

It is hereby stipulated between the parties, Jason Hitt, Assistant United States Attorney, Todd Leras, attorney for defendant MATTHEW MICHALAK and Michael D. Long, attorney for defendant DUSTIN BROWN, that the status conference set for July 28, 2025, at 10:00 a.m. should be continued and re-set for September 29, 2025, at 10:00 a.m.

Both Mr. Leras and Mr. Long need to continue to read the discovery, review the discovery with his client, and assess the facts, the charges and potential defenses. Mr. Brown is housed in the Yuba County Jail in Marysville, which only has one attorney booth in which lawyers can pass documents to clients, which in turn makes meetings with Mr. Brown more difficult to schedule. Legal visits are often limited to one hour per visit. Mr. Michalak was housed for 90 days in an in-patient rehabilitation facility, which made it more difficult for Mr. Leras to go over the discovery

1 with him (there is a protective order concerning the discovery, so the discovery cannot be simply
2 given to a defendant).

3 The parties further agree that this court should make a finding of good cause for the
4 requested extension and that in fact good cause is hereby shown. The government has provided
5 over 350 pages of discovery and many hours of video and audio recordings. The government has
6 made additional discovery available for review by defense counsel, including seized digital devices.
7 All attorneys continue to read and view the discovery, investigate the case and meet with their
8 respective clients. Counsel for defendants believe that failure to grant the above-requested
9 continuance would deny counsel the reasonable time necessary for effective preparation, taking
10 into account the exercise of due diligence.
11

12 All parties are available to appear in this case on September 29, 2025.
13

14 Each party further stipulates that the ends of justice served by granting such continuance
15 outweigh the best interests of the public and of all the defendants in a speedy trial. Time has already
16 been excluded through July 28, 2025.
17

18 All parties request the date of September 29, 2025, for the status hearing. The request for
19 extending the date for the status conference is at the specific request of each of the defendants and
20 with the knowing, intelligent and voluntary waiver of each defendant's speedy trial rights under the
21 law. The government agrees that a continuance is necessary. Good cause is hereby shown.
22

23 For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq.,
24 within which trial must commence, the time period from today's date to September 29, 2025,
25 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
26 because it results from a continuance granted by the Court at defendants' request on the basis of
27
28

the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

Dated: July 22, 2025

Respectfully submitted,

/s/ Michael D. Long

MICHAEL D. LONG
Attorney for Dustin Brown

/s/ Todd Leras

TODD LERAS
Attorney for Matthew Michalak

Dated: July 22, 2025

KIMBERLY SANCHEZ
Acting United States Attorney

/s/ Jason Hitt

JASON HITT
Assistant U.S. Attorney


ORDER

GOOD CAUSE APPEARING AND HAVING BEEN SHOWN, IT IS SO ORDERED.

The date for the status hearing in this matter is hereby re-set for **September 29, 2025, at 10:00 a.m.**, before District Court Judge William B. Shubb.

Time is is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendants' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(1)(D). Time is excluded through the new hearing date of September 29, 2025.

Dated: July 24, 2025


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE